

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION
CASE NO. 4:16-CV-00084-M

JACK HOWARD COX, SR., *Executor of*
the Estate of Percy Ray Cox, Deceased,

Plaintiff,

v.


AGCO Corp. *et al.*,

Defendants.

ORDER

This matter is before the court on the Motion to Dismiss with Prejudice as to Defendant Morse TEC, LLC f/k/a BorgWarner Morse TEC LLC, and Successor-by-Merger to Borg-Warner Corporation [DE-470]. Under Rule 41(a)(2), the action against Morse TEC, LLC may be dismissed only by court order, on such terms as the court considers proper. Given that the parties both consent to the dismissal, the court will not presume the existence of any prejudice. The motion is hereby GRANTED and all of Plaintiff's claims against Morse TEC, LLC are hereby DISMISSED WITH PREJUDICE, each party to bear its own costs.

SO ORDERED this the 20th day of November, 2020.


RICHARD E. MYERS II
U.S. DISTRICT COURT JUDGE